

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR
February 25, 2000

GROUNDWATER RULE CHANGES PROPOSED

Revisions to NR 140, Groundwater Quality, are expected to go into effect March 1, 2000. The rule proposal contains three main revisions: 1) a change in the existing standards for toluene to 1 mg/L for the enforcement standard (ES) and 0.2 mg/L for the preventive action limit (PAL), 2) a change in the existing standards for xylene to 10 mg/L for the ES and 1 mg/L for the PAL, and 3) a change in the requirements for considering a welfare standard exemption under NR 140.28(2). Currently, when background contamination of a welfare substance is below a PAL, DNR staff cannot grant a welfare standard exemption if the ES for that substance is exceeded anywhere in groundwater. This requirement will be dropped and be replaced by two other requirements: the facility or remedial action is designed to achieve the lowest concentration for that substance that is feasible and that the substance does not present a threat to public health or welfare. There are no proposed changes to the requirements for considering a health standard exemption under NR 140.28. Contact Steve Karklins in the Bureau of Drinking Water and Groundwater at 608-266-5240 if you have questions.

MARCH 30 REDEVELOPMENT SEMINAR

Ayres Associates is hosting a Brownfields Redevelopment Seminar on March 30th, 2000. A team of experts, including DNR staff, will present opportunities for communities to redevelop vacant or underutilized land and to identify sources of funding for land acquisition, environmental remediation, and business development. The team will provide information and resources to bring community redevelopment goals to fruition. The program is targeted towards local governments but others are welcome to attend. The seminar is from 12:30 to 6:00 at the Holiday Inn Madison - East, located at 3841 East Washington Avenue in Madison. For a flyer and registration information, please contact Lynn L. Scherbert at Ayres Associates, N14 W23777 Stone Ridge Drive, Suite 130, Waukesha, Wisconsin 53188. FAX (262) 523-4477, PHONE (262) 523-4489, ext 225, EMAIL scherbel@ayres-mw.com

NATURAL ATTENUATION REMEDIES & CERTIFICATES OF COMPLETION

Wisconsin's 1999-2001 budget bill (1999 Wisconsin Act 9) contains a provision that allows the DNR to issue a certificate of completion before groundwater contamination is brought into compliance with enforcement standards, if the site meets the conditions for case closure in s. NR 726.05(2)(b). Those conditions include a demonstration that natural attenuation is occurring. Before the budget bill was passed, the DNR was unable to issue certificates of completion until the enforcement standards were met. The budget bill establishes that one of the conditions for obtaining the certificate for these sites is that DNR may require environmental insurance in case natural attenuation fails. The RR program is currently developing a new rule which will describe when insurance would be required and what requirements the insurance must meet. The DNR was given emergency rulemaking authority for this rule. The RR Program will not issue certificates of completion at sites where groundwater contamination has not reached enforcement standards until the insurance rule is in place. Any questions on this issue or the status of rule development

should be directed to Michael Prager; pragem@dnr.state.wi.us or (608) 261-4927.

STATE BROWNFIELDS WORKSHOPS SET FOR MAY

Wisconsin's state agencies will again conduct brownfields workshops across the state. The first brownfields workshops were held in April of 1998, with more than 600 individuals attending. Wisconsin Brownfields - Future Solutions Now will be a new one-day workshop held in five locations, and open to anyone interested in brownfields cleanup and redevelopment, including local government officials, lenders, developers and consultants. The workshops will focus on existing brownfields programs, highlight new provisions from the 1999-2001 state budget, and take a close look at real examples of successful brownfields projects. The workshops will be held in May in the following cities:

Milwaukee - Wednesday, May 10

Appleton - Thursday, May 11

Rhineland - Tuesday, May 16

Eau Claire - Thursday, May 18

Madison - Wednesday, May 24

We will provide more information as it becomes available, or contact Andrew Savagian at 608-261-6422.

BROWNFIELDS STUDY GROUP RE-CONVENES

This winter, the Brownfields Study Group held its first meeting to begin the next phase of brownfields initiatives for the 2001-2003 biennial budget. The Study Group was mandated by the State Legislature in the 1997-99 state budget to provide recommendations on improving the state's brownfields initiatives. The Study Group achieved that goal, submitting a report in December, 1998 that outlined more than 75 recommendations. Many of those recommendations became law as part of the 1999-01 budget. Senator Brian Burke and Representative Mark Duff then requested of DNR Secretary George Meyer that the Study Group continue its meetings to provide the Legislature with new recommendations for the next budget. The Study Group hopes to meet throughout 2000 with the goal of submitting a final report in the fall of this year. For more information contact Andrew Savagian, 608-261-6422, or check out the Study Group web site at www.dnr.state.wi.us/org/aw/rr/rbrownfields/bsg/index.htm.

NEW ON THE WEB

- "Liability Protection for Local Governmental Units and Economic Development Corporations", RR-579, covers all aspects of the municipal liability exemption from responsibility for cleaning up contamination sites under the state land recycling law to the associated federal liability exemption from Superfund.

<http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR579.pdf>

- Ashland/NSP Lakefront Site Information is about a contaminated site located in northern Wisconsin. It includes a history of the site, health information, background on Superfund, and other links.

<http://www.dnr.state.wi.us/org/aw/rr/cleanup/ashland.html>

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